

JUDGE JOHN H. CHUN

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA,
Plaintiff,
v.
ERIC T. SPIKER,
Defendant.

NO. CR23-153 JHC
ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL
AND PRETRIAL MOTIONS
DEADLINE

THE COURT has considered the unopposed motion of the parties to continue the trial date and pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

1 (c) the additional time requested is a reasonable period of delay, as the defendant
2 has requested more time to prepare for trial, to investigate the matter, to gather evidence
3 material to the defense, and to consider possible defenses; and

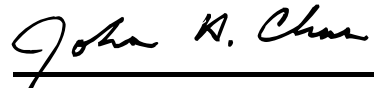
4 (d) the ends of justice will best be served by a continuance, and the ends of
5 justice outweigh the best interests of the public and the defendant in any speedier trial,
6 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

7 (e) the additional time requested between the current trial date of December 4,
8 2023, and the new trial date is necessary to provide counsel for the defendant the
9 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
10 the facts set forth above; and

11 (f) the period of delay from the date of this order to the new trial date is
12 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

13 IT IS THEREFORE ORDERED that the trial date in this matter shall be
14 continued to June 3, 2024, and that pretrial motions shall be filed no later than
15 March 5, 2024.

16 DONE this 18th day of October, 2023.

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20 John H. Chun
United States District Judge

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23 Presented by:

24 /s/Brad A. Meryhew
25 Brad A. Meryhew
26 Attorney for Eric T. Spiker